

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

|                               |   |                     |
|-------------------------------|---|---------------------|
| JONG HAK LEE,                 | ) |                     |
|                               | ) |                     |
| Plaintiff,                    | ) |                     |
|                               | ) |                     |
| v.                            | ) | 1:14cv965 (LMB/JFA) |
|                               | ) |                     |
| CHRISTOPHER SO and NVW, INC., | ) |                     |
|                               | ) |                     |
| Defendants.                   | ) |                     |

ORDER

Before the Court are Proposed Findings of Fact and Recommendations (“Report”) issued by a magistrate judge on December 11, 2014 [Dkt. No. 14]. The Report recommended that default judgment be entered against defendants and that plaintiff be awarded \$18,756.38 in damages and \$6,090 in attorneys’ fees and costs. Report 15. The parties were advised that any objections to the Report must be filed within 14 days and that failure to file a timely objection waives the right to appeal the substance of the Report and any judgment based upon the Report. As of January 9, 2015, no party has filed an objection. The Court has reviewed the Report, plaintiff’s motion, and the case file and adopts the Report in its entirety.

The magistrate judge correctly determined that the Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1337 due to plaintiff’s claim under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201, et seq. The Court has supplemental jurisdiction over plaintiff’s state law claim pursuant to 28 U.S.C. § 1367. The Court also has personal jurisdiction over both defendants because defendant Christopher So is domiciled and owns a business in Virginia and defendant NVW, Inc. is a corporation organized and existing under the laws of Virginia with its principal place of business in Annandale, Virginia. Lastly, venue is

proper in this Court pursuant to 28 U.S.C. § 1391(b) because a substantial portion of the events or omissions giving rise to plaintiff's claims occurred in this district.

The Court further finds that the magistrate judge properly calculated the damages—comprised of \$7,544.17 actual damages under the FLSA, \$7,544.17 liquidated damages under the FLSA, and \$3,668.04 contractual damages—and attorneys' fees to which plaintiff is entitled. Accordingly, plaintiff's Motion for Default Judgment [Dkt. No. 9] is GRANTED, and it is hereby


ORDERED that a default judgment in the total amount \$18,756.38 be and is entered in favor of Jong Hak Lee, against defendants Christopher So and NVW, Inc. jointly and severally, and it is further

ORDERED that \$5,690.00 in attorneys' fees and \$400 in costs be and are awarded in favor of plaintiff, against both defendants jointly and severally.

The Clerk is directed to enter final judgment in plaintiff's favor pursuant to Fed. R. Civ. P. 55 and to forward copies of this Order to counsel of record and to defendants.

Entered this 9<sup>th</sup> day of January, 2015.

Alexandria, Virginia

  
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/s/ Leonie M. Brinkema  
United States District Judge